

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DRESSER-RAND COMPANY

Plaintiff,

v.

**SCHUTTE & KOERTING
ACQUISITION COMPANY, et al.,**

Defendants.

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HON. JUDGE MILLER

CASE NO. 4:12-cv-184

**PLAINTIFF’S NOTICE OF SUBMISSION
OF DOCUMENTS FOR *IN CAMERA* INSPECTION**

At the February 21, 2017 hearing, the Court ordered Plaintiff Dress-Rand Company (“Dresser-Rand”) to provide the communications set forth in the table below to the Court for *in camera* inspection. Dresser-Rand hereby notifies the Court and the other parties that the documents set forth in the table below have been hand delivered to the chambers of Judge Johnson for *in camera* inspection:

| No. | Date of Document | Author | Recipient | Copied To | Basis for Privilege | Description of Document |
|------------|-------------------------|--|---|--|--------------------------------------|--|
| 1 | 12/20/12 | Douglas D’Arche (Baker Hostetler – Dresser-Rand outside counsel) | Robert Johnson (AUSA); Craig Feazel (AUSA) | Douglas D’Arche (Baker Hostetler); Gregory Saikin (Baker Hostetler); Lance A Bowling (Dresser-Rand In-House Counsel) | Irrelevant/ Attorney Work Product | Email regarding the status of the government investigation |

| No. | Date of Document | Author | Recipient | Copied To | Basis for Privilege | Description of Document |
|-----|------------------|--|---|--|--|---|
| 2 | 1/02/13 | Lance A Bowling (Dresser-Rand In-House Counsel) | Robert Johnson (AUSA); Craig Feazel (AUSA); Luz Garcia (FBI) | Lawrence Finder (Baker McKenzie-Dresser-Rand outside counsel); Douglas D'Arche (Baker Hostetler) | Irrelevant/ Attorney Work Product | Email advising federal authorities that S&K's forensic firm (HSSK) possesses the Michael Pintozzi (S&K President) and Caroline Nelson (S&K Salesperson) hard drives |
| 3 | 1/30/13 | Douglas D'Arche (Baker Hostetler) | Robert Johnson (AUSA); Craig Feazel (AUSA) | Douglas D'Arche (Baker Hostetler); Gregory Saikin (Baker Hostetler); Lance A Bowling (Dresser-Rand In-House Counsel); Lawrence Finder (Baker McKenzie-Dresser-Rand outside counsel) | Irrelevant/ Attorney Work Product | Email advising the federal authorities that the civil action was stayed. |
| 4 | 1/31/13 | Craig Feazel (AUSA) | Douglas D'Arche (Baker Hostetler) | | Irrelevant/ Attorney Work Product | Response to email advising about the stay |
| 5 | 4/4/13 | Lance A Bowling (Dresser-Rand In-House Counsel) | Craig Feazel (AUSA) | Luz Garcia (FBI); Lawrence Finder (Baker McKenzie) | Irrelevant/ Attorney Work Product | Email responding to request for a copy of Dresser-Rand's forensic expert report. |
| 6 | 4/18/13 | Ken G. Tisdell (LCG Discovery Experts) | | | Exceeds the scope of discovery permitted by FRCP 26(b)(4) governing expert discovery/ Attorney Work Product | Forensic expert report attached to 4/4/13 email. |

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|-----|------------------|---|---|-----------|-----------------------------------|--|
| 7 | 5/6/13 | Lawrence Finder (Baker McKenzie) | Craig Feazel (AUSA) | | Irrelevant/ Attorney Work Product | Email inquiring about status of government investigation |
| 8 | 5/16/13 | Lawrence Finder (Baker McKenzie) | Craig Feazel (AUSA) | | Irrelevant/ Attorney Work Product | Email inquiring about status of government investigation |
| 9 | 5/17/13 | Craig Feazel (AUSA) | Lawrence Finder (Baker McKenzie) | | Irrelevant/ Attorney Work Product | Response to Lawrence Finder 5/16/13 email. |
| 10 | 7/15/13 | Lawrence Finder (Baker McKenzie) | Craig Feazel (AUSA) | | Irrelevant/ Attorney Work Product | Email inquiring about status of government investigation |
| 11a | 8/1/13 | Lance A Bowling (Dresser-Rand In-House Counsel) | Brannon Coker (FBI) | | Irrelevant/ Attorney Work Product | Email from Bowling advising that he is out of town, but can arrange a telephone call. |
| 11b | 8/1/13 | Brannon Coker (FBI) | Lance A Bowling (Dresser-Rand In-House Counsel) | | Irrelevant/ Attorney Work Product | Coker response to 8/1/13 email. |
| 12a | 8/5/13 | Lance A Bowling (Dresser-Rand In-House Counsel) | Brannon Coker (FBI) | | Irrelevant/ Attorney Work Product | Email advising that S&K and Defendants, Ashar, Jardine, and Maxwell have not produced any reports from their forensic expert HSSK. |
| 12b | 8/9/13 | Brannon Coker (FBI) | Lance A Bowling (Dresser-Rand In-House Counsel) | | Irrelevant/ Attorney Work Product | Email asking to arrange meeting with Dresser-Rand's forensic experts. |
| 13 | 5/25/16 | Johnathan Pierce (Porter Hedges-Dresser-Rand outside counsel) | Craig Feazel (AUSA) | | Irrelevant/ Attorney Work Product | Email inquiring about federal government investigation |

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|------------|-------------------------|---|---|---|-----------------------------------|---|
| 14 | 5/25/16 | Craig Feazel (AUSA) | Johnathan Pierce (Porter Hedges-Dresser-Rand outside counsel) | | Irrelevant/ Attorney Work Product | Response to inquiry about federal government investigation |
| 15 | 6/24/16 | Kyle Reeb (Porter Hedges-Dresser-Rand outside counsel) | Craig Feazel (AUSA) | David J. Grenell (Dresser-Rand's Associate General Counsel and Global Head of Litigation) | Irrelevant/ Attorney Work Product | Email seeking clarification of Craig Feazel email indicating closure of the criminal investigation, as prompted by defendants' opposition to reinstate the civil lawsuit. |
| 16 | 7/18/16 | Kyle Reeb (Porter Hedges-Dresser-Rand outside counsel) | Craig Feazel (AUSA) | David J. Grenell (Dresser-Rand's Associate General Counsel and Global Head of Litigation); Johnathan Pierce (Porter Hedges) | Irrelevant/ Attorney Work Product | Email seeking clarification of Craig Feazel email indicating closure of the criminal investigation, as prompted by defendants' opposition to reinstate the civil lawsuit. |
| 17 | 7/18/16 | David J. Grenell (Dresser-Rand's Associate General Counsel and Global Head of Litigation) | Craig Feazel (AUSA) | Kyle Reeb (Porter Hedges-Dresser-Rand outside counsel); Johnathan Pierce (Porter Hedges) | Irrelevant/ Attorney Work Product | Email thanking Feazel for his attention. |
| 18 | 7/19/16 | Kyle Reeb (Porter Hedges-Dresser-Rand outside counsel) | Craig Feazel (AUSA) | David J. Grenell (Dresser-Rand's Associate General Counsel and Global Head of Litigation) | Irrelevant/ Attorney Work Product | Email advising Feazel to disregard prior requests for clarification as the Court ordered the re-opening of the civil litigation. |

Respectfully submitted,

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By: /s/ Kyle C. Reeb

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CERTIFICATE OF SERVICE

I certify that on February 24, 2017, a true and correct copy of the foregoing document was forwarded to all interested parties via the Court's CM/ECF filing system and/or email.

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